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PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<h2 style="margin: 0;">TRANSMITTAL FORM</h2> <p style="margin: 5px 0;">(to be used for all correspondence after initial filing)</p>	Application Number	09/316,935
	Filing Date	May 22, 1999
	First Named Inventor	Cornelius MELIEF
	Group Art Unit	1632
	Examiner Name	A. Beckerleg
	Attorney Docket Number	TNX 98-4
Total Number of Pages In This Submission		

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Tanox, Inc.
Signature	Cheryl Liljestrand
Date	April 3, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: April 3, 2001			
Typed or printed name	Cheryl A. Liljestrand	Date	4/3/01
Signature	Cheryl Liljestrand		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Exp mail No TB 191898619 US

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$)

## Complete if Known

Application Number 09/316,935  
Filing Date May 22, 1999  
First Named Inventor Cornelius MELIEF  
Examiner Name A. Becker leg  
Group Art Unit 1632  
Attorney Docket No. TNX 98-4

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

20-0087

Deposit  
Account  
Name

Tanox, Inc.

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$)	Code (\$)	Code (\$)	Code (\$)	Code (\$)	Fee Description
101	710	201	355		Utility filing fee
106	320	206	160		Design filing fee
107	490	207	245		Plant filing fee
108	710	208	355		Reissue filing fee
114	150	214	75		Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

Total Claims  - 20\*\* =  x  =   
Independent Claims  - 3\*\* =  x  =   
Multiple Dependent  =

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$)	Code (\$)	Code (\$)	Code (\$)	Code (\$)	Fee Description
103	18	203	9		Claims in excess of 20
102	80	202	40		Independent claims in excess of 3
104	270	204	135		Multiple dependent claim, if not paid
109	80	209	40		** Reissue independent claims over original patent
110	18	210	9		** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
118	390	218	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	445
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 445.00

## SUBMITTED BY

Name (Print/Type)	<u>Cheryl A. Liljestrand</u>	Registration No. (Attorney/Agent)	<u>45,275</u>	Telephone	<u>713-578-4182</u>
Signature	<u>Cheryl Liljestrand</u>	Date	<u>4/3/01</u>		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT  
ATTORNEY DOCKET NO.: TNX 98-4  
CUSTOMER NO: 26839

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:  
MELIEF, Cornelis, et al.

Serial No.: 09/316,935

Filed: May 22, 1999

For: CD40 BINDING MOLECULES AND CTL  
PEPTIDES FOR TREATING TUMORS

)  
)  
) Group Art Unit: 1632

)  
) Examiner: A. Beckerleg  
)  
)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicants submit the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b), but before the mailing of either a Final Office Action, Quayle Action, or Notice of Allowance. Please charge the fee of \$180.00 for consideration of this Information Disclosure Statement to our Deposit Account No. 20-0087.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached PTO 1449 form.

This submission does not represent that a search has been made or that no other documents exist which may be material to the examination of this application and does not constitute an admission that any of the listed documents, or any part thereof,

are material or constitute prior art under title 35 of the United States code. Applicants reserve the right to present evidence that any of such documents are not prior art.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully Submitted,

Dated: April 3, 2001.

BY: Cheryl A. Liljestrand  
Cheryl A. Liljestrand  
Reg. No. 45,275

Mailing Address:

Tanox, Inc.  
10301 Stella Link  
Houston, TX 77025  
(713) 578-4000

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+

PTO/SB/08A (08-00)

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

SHEET

1

OF

2

## **Complete if Known**

Application Number 09/318,935  
Filing Date MAY 22, 1999  
First Named Inventor MELIEF, ET AL  
Group Art Unit 1632  
Examiner Name A. BECKERLEG  
Attorney Docket Number 98-4

## **U.S. PATENT DOCUMENTS**

Examiner Initials	U.S. Documents		U.S. Patent Document Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	Number	Kind Code (if known)			
	5874082		DE BOER	02-23-1999	

## **FOREIGN DOCUMENTS**

Examiner Initials	Foreign Patent Documents			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation
	Office	Number	Kind Code (if known)				
	PCT	97/41440	A 1	VAN DER BURG ET AL.	11-06-1997		N/A

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Please type a plus sign (+) inside this box



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0851-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

SHEET

2

OF

2

## **Complete If Known**

Application Number 09/316,935  
Filing Date MAY 22, 1999  
First Named Inventor MELIEF, ET AL  
Group Art Unit 1632  
Examiner Name A. BECKERLEG

Attorney Docket Number 98-4

## **OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s).	T 2
	C1	Lipford, G. B., et al.; "Peptide Engineering Allows Cytotoxic T-Cell Vaccination Against Human Papiloma Virus Tumour Antigen, E6", <i>Immunology</i> 84:298-303 (1995).	1/1
	C2	Christ, M., et al., "Gene Therapy With Recombinant Adenovirus Vectors: Evaluation of the Host Immune Response", <i>Immunology Letters</i> , 57:19-25 (1997).	1/1
	C3	Naviaux, R. et al.; "Retroviral Vectors For Persistent Expression <i>In Vivo</i> ", <i>Current Opinion in Biotechnology</i> 3:540-547 (1992).	1/1
	C4	Gunzburg, W. H. et al.; "Virus Vector Design In Gene Therapy", <i>Molecular medicine today</i> , Vol. 1(9), pp. 410-417 (1995).	1/1
	C5	Urvanelli, D., et al., "C-Terminal Domain Of The Adenovirus E1A Oncogene Product Is Required For Induction of Cytotoxic T Lymphocytes And Tumor-Specific Transplantation Immunity", <i>Virology</i> 173:607-614 (1989).	1/1
	C6	Funakoshi, D., et al.; "Inhibition Of Human B-Cell Lymphoma Growth By CD40 Stimulation", <i>Blood</i> , Vol. 83(10), pp. 2797-2794 (1994).	1/1
	C7	Tong, Alex. W. Et Al; "Anti-CD40 Antibody Binding Modulates Human Multiple Myeloma Clonogenicity In Vitro", <i>Blood</i> , Vol. 84(9), pp. 3026-3033 (1994).	1/1
Examiner Signature		Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:  
MELIEF, Cornelis, et al.

Serial No.: 09/316,935

Filed: May 22, 1999

For: CD40 BINDING MOLECULES AND CTL  
PEPTIDES FOR TREATING TUMORS

)  
)  
) Group Art Unit: 1632

)  
) Examiner: A. Beckerleg  
)  
)  
)

Assistant Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO SEQUENCE LISTING REQUIREMENTS

In compliance with the Sequence Listing requirements, Applicants submit a substitute  
Sequence Listing and CRF diskette.

I hereby state that the amendments, made in accordance with 37 CFR 1.825(a), included  
in the substitute sheets of the Sequence Listing are supported in the application, as filed, at page  
6, line 5 (SEQ ID NO 1), and page 4, lines 11-12 (SEQ ID Nos 2 and 3). I hereby state that the  
substitute sheets of the Sequence Listing do not include new matter.

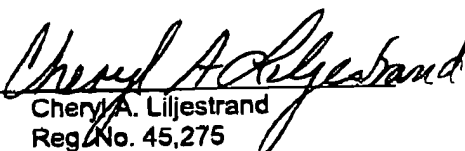
I hereby state that the substitute copy of the computer readable form, submitted in  
accordance with 37 CFR §1.825(b), is the same as the amended Sequence Listing.

In view of this substitution, Applicants are in compliance with all rules related to protein  
sequences.

Respectfully Submitted,

Dated: April 3, 2001.

BY:

  
Cheryl A. Liljestrand  
Reg. No. 45,275

Mailing Address:

Tanox, Inc.  
10301 Stella Link Rd  
Houston, TX 77025  
(713) 578-4000

```

seqlist 316,935.ST25
SEQUENCE LISTING

```

<110> MELIEF, Cornelius  
schoenberger, Stephen  
offringa, Rienk  
Toes, Rene

## <120> CD-40 Binding Molecules and CTL Peptides for Treating Tumors

<130> TNX 98-04

<140> 09/316,935

<141> 1999-05-22

<150> US PROVISIONAL 60/086,625

**<151> 1998-05-23**

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&lt;170&gt; PatentIn version 3.0

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#75  
7-34-01  
P.2.

PATENT  
ATTORNEY DOCKET NO.: TNX 98-4  
CUSTOMER NO: 26839

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:  
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Serial No.: 09/316,935

Filed: May 22, 1999

For: CD40 BINDING MOLECULES AND CTL  
PEPTIDES FOR TREATING TUMORS

)  
)  
) Group Art Unit: 1632

)  
) Examiner: A. Beckerleg  
)

Assistant Commissioner for Patents  
Washington, D.C. 20231

*Please enter 5/13/01  
DMLK*

Dear Sir:

**PETITION FOR EXTENSION OF TIME**

In response to the Office Action dated October 4, 2000, Applicants hereby  
petition for a three-month extension of time, extending the period for response to April 4,  
2001. A check in the amount of \$445.00 is enclosed.

Respectfully Submitted,

Dated: April 3, 2001.

BY: *Cheryl A. Liljestrand*  
Cheryl A. Liljestrand  
Reg. No. 45,275

Mailing Address:  
Tanox, Inc.  
10301 Stella Link  
Houston, TX 77025  
(713) 578-4000

# Tanox, Inc.



4888 Loop Central Dr.  
Suite 820  
Houston, TX 77081  
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Fax: (713) 578-5002

## FAX TRANSMISSION COVER SHEET

**Date:** May 11, 2001

**To:** Examiner A. Beckerleg

**Company:** US Patent & Trademark Office

**Fax:** (703) 308-8724

**Sender:** Cheryl A. Liljestrand

**RE:** US. Patent Application No. 09/316,935

**Attorney Docket No.:** TNX 98-04

You should receive **25** page(s), including this cover.  
If you do not receive all pages, please call (713) 578-4182.

### Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 308-8724, on May 11, 2001. (Date)

Typed or printed name of person signing this certificate:

Cheryl A. Liljestrand

Signature: Cheryl Liljestrand

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Please Stamp to Acknowledge Receipt of the Following:

In re Application of: Cornelius MELIEF et al.

Serial No: 09/316,935

Filed: May 22, 1999

For: CD40 BINDING MOLECULES AND CTL PEPTIDES FOR TREATING TUMORS

1. Amendment and Response
2. Petition for Extension of Time (Fee of \$445.00)
3. Substitute Sequence Listing, CRF diskette, and Statement
4. Information Disclosure Statement with copies of references (9)
5. Transmittal forms (2)
6. Check for \$445.00

Dated: April 3, 2001

Attorney Docket No.: TNX98-4



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